

**INSTRUCTIONS:** All applicable boxes must be checked, and the specified information must be provided.

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PLAINTIFF/PETITIONER: DOMINIQUE HUETT	CASE NUMBER:
DEFENDANT/RESPONDENT: THE WEINSTEIN COMPANY, LLC, ET., AL.	BC680869

4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date (indicate source and amount), estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*

See Attachment A.

☐ *(If more space is needed, check this box and attach a page designated as Attachment 4b.)*

5. Jury or nonjury trial

The party or parties request ☒ a jury trial ☐ a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. Trial date

a. ☐ The trial has been set for (date):

b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain):*

Due to addition of parties & bankruptcy of Def.The Weinstein Co., LLC, the case will be ready by 02/2019.

c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability):*

7. Estimated length of trial

The party or parties estimate that the trial will take *(check one):*

a. ☒ days *(specify number):* 5

b. ☐ hours *(short causes) (specify):*

8. Trial representation *(to be answered for each party)*

The party or parties will be represented at trial ☐ by the attorney or party listed in the caption ☒ by the following:

a. Attorney: Daniel Ellis; Jeffrey Herman and Stuart Mermelstein (pro hac vice admissions pending)

b. Firm: Herman Law

c. Address: 5200 Town Center Circle, Suite 540, Boca Raton, FL 33486

d. Telephone number: (305) 931-2200

f. Fax number: (305) 931-0877

e. E-mail address: dellis@hermanlaw.com;

g. Party represented: Plaintiff DOMINIQUE HUETT

☐ Additional representation is described in Attachment 8.

9. Preference

☐ This case is entitled to preference *(specify code section):*

10. Alternative dispute resolution (ADR)

a. ADR information package. Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel ☐ has ☒ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party ☐ has ☐ has not reviewed the ADR information package identified in rule 3.221.

b. Referral to judicial arbitration or civil action mediation *(if available).*

(1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) ☐ This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption):*

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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (check all that apply and provide the specified information):

	The party or parties completing this form are willing to participate in the following ADR processes (check all that apply):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (attach a copy of the parties' ADR stipulation):
(1) Mediation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other (specify):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

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**11. Insurance**

- a. ☐ Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: ☐ Yes ☐ No
- c. ☐ Coverage issues will significantly affect resolution of this case (*explain*):

**12. Jurisdiction**

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

- ☒ Bankruptcy ☐ Other (*specify*): The Weinstein Company, LLC, filed Ch.11 bankruptcy case on 03/19/18.

Status: Pending

**13. Related cases, consolidation, and coordination**

- a. ☐ There are companion, underlying, or related cases.
- (1) Name of case:
- (2) Name of court:
- (3) Case number:
- (4) Status:
- ☐ Additional cases are described in Attachment 13a.
- b. ☐ A motion to ☐ consolidate ☐ coordinate will be filed by (*name party*):

**14. Bifurcation**

- ☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

**15. Other motions**

- ☐ The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):

**16. Discovery**

- a. ☐ The party or parties have completed all discovery.
- b. ☒ The following discovery will be completed by the date specified (*describe all anticipated discovery*):
- | <u>Party</u>     | <u>Description</u> | <u>Date</u> |
|------------------|--------------------|-------------|
| See Attachment B |                    |             |

- c. ☐ The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

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**17. Economic litigation**

- a. ☐ This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

**18. Other issues**

- ☐ The party or parties request that the following additional matters be considered or determined at the case management conference (specify):

**19. Meet and confer**

- a. ☒ The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):

See Attachment C.

- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

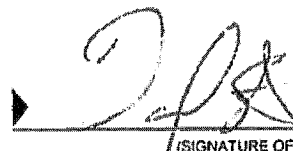
20. Total number of pages attached (if any): 3

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: 5/21/2018

Daniel G. Ellis

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.



**PROOF OF SERVICE**

**STATE OF FLORIDA, COUNTY OF PALM BEACH**

I am over the age of 18 and not a party to the within entitled action. I am employed at the Herman Law Firm, Boca Center Tower I, 5200 Town Center Circle, Suite 540, Boca Raton, Florida 33486.

On May 21, 2018 I served the foregoing document(s) described as Case Management Statement on the following parties of this action:

**SEYFARTH SHAW LLP**

Gerald L. Maatman, Jr.

*(pro hac vice pending)*

E-mail: gmaatman@seyfarth.com

233 South Wacker Drive, Suite 8000

Chicago, Illinois 60606-6448

Telephone: (312) 460-5000

Facsimile: (312) 460-7000

**Schulte Roth & Zabel LLP**

Brian Kohn

Email: brian.kohn@srz.com

919 Third Avenue

New York, NY 10022

Telephone: (212) 756-2000

Facsimile: (212) 593-5955

*Attorney for Defendant Bob Weinstein*

Laura Wilson Shelby (SBN 151870)

E-mail: lshelby@seyfarth.com

Myra B. Villamor (SBN 232912)

E-mail: mvillamor@seyfarth.com

2029 Century Park East, Suite 3500

Los Angeles, California 90067-3021

Telephone: (310) 277-7200

Facsimile: (310) 201-5219

*Attorneys for Defendant*

**THE WEINSTEIN COMPANY, LLC**

Phyllis Kupferstein

**Kupferstein-Manuel LLP**

865 South Figueroa Street, Suite 3338

Los Angeles, California 90017

213-988-7531 main

213-988-7532 fax

pk@kupfersteinmanuel.com

*Attorneys for Defendant*

*Harvey Weinstein*

[ X ] **BY MAIL:** I caused true and correct copies of the above documents to be placed and sealed in an envelope (or envelopes) addressed to the addressee(s) with postage thereon fully prepaid, and I further caused said envelope(s) to be placed in the United States mail, in the City and County of Boca Raton, Palm Beach County.

[ ] **BY PERSONAL SERVICE:** I caused true and correct copies of the above documents to be placed and sealed in an envelope (or envelopes) addressed to the addressee(s) and I caused such envelope(s) to be delivered by hand on the office(s) of the addressee(s).

[ ] **BY FACSIMILE:** I caused a copy (or copies) of such document(s) to be sent via facsimile transmission from (305) 931-0877 to the office(s) of the address(s).

[ ] **BY E-MAIL OR ELECTRONIC TRANSMISSION:** With agreement of defense counsel that service by email instead of personal delivery constitutes proper service today, I caused a copy (or copies) of such document(s) to be sent via email to the addressee(s).

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct and that this declaration was executed on May 21, 2018, at Boca  
3 Raton, Florida.

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6 Daniel G. Ellis, Esq.  
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Case No: BC680869

**ATTACHMENT A**

4. This case arises from the sexual assault of Plaintiff by Harvey Weinstein, who notoriously used his position as a movie producer and entertainment mogul to entice and recruit aspiring actresses with promises of roles in lucrative entertainment projects, and then used force, fraud or coercion to obtain sex acts from these actresses. Plaintiff brings a claim against Harvey Weinstein for his use of this scheme against Plaintiff, alleging sex trafficking under 18 U.S.C. § 1591(a), which provides a civil remedy for money damages under 18 U.S.C. § 1595 (Count II). Plaintiff also brings sex trafficking claims under 18 U.S.C. § 1591(a) against Bob Weinstein, who is the brother of Harvey Weinstein and the co-founder and Chairman of The Weinstein Company, LLC ("TWC"). He holds a large equity stake in TWC. The claims against Bob Weinstein are for participating in a sex trafficking venture in violation of 18 U.S.C. § 1591(a) (Count IV), and for aiding and abetting Harvey Weinstein's commercial sex acts (Count VI). Plaintiff brings claims against TWC for negligence, participating in a sex trafficking venture, and aiding and abetting a commercial sex acts by Harvey Weinstein (Counts I, III, and V), which claims are stayed by TWC's bankruptcy filing. (See §12 of this Case Management Statement).

Plaintiff seeks money damages in this case. Her damages are noneconomic in nature, and include psychological and emotional injuries, pain and suffering, loss of enjoyment of life, shame and humiliation.



Case No: BC680869

**ATTACHMENT B**

<b>PARTY</b>	<b>DESCRIPTION</b>	<b>DATE</b>
Harvey Weinstein	Plaintiff seeks discovery regarding Harvey Weinstein's plan and scheme in obtaining sexual encounters with aspiring actresses; and his contacts and communications with Plaintiff. It is noted that the New York Attorney General investigated Harvey Weinstein's sexual misconduct and brought a Petition making various claims arising from the documents and information obtained in the investigation. The documents obtained and information provided in that investigation is relevant discovery in the instant case	Dec. 1, 2018 (subject to conferring with counsel for Harvey Weinstein once appearance is entered)
Bob Weinstein	Plaintiff seeks discovery relating to Bob Weinstein's acts and conduct as agent for TWC, his notice and knowledge of the sexual misconduct of Harvey Weinstein and use of his platform with TWC for this purpose, and Bob's Weinstein's response to such notice and knowledge which is alleged to have facilitated Harvey Weinstein's sexual misconduct.	Dec. 1, 2018 (subject to conferring with counsel for Bob Weinstein once appearance is entered)

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**ATTACHMENT C**

The Weinstein Co., LLC filed a bankruptcy petition and all proceedings against it are stayed. Defendants Harvey Weinstein and Bob Weinstein are being served with process, and for this purpose their respective counsel have been contacted regarding acceptance of service.